

BROWN CITY COUNCIL PROCEEDINGS
April 11, 2022

MEETING CALLED TO ORDER BY MAYOR JULIE MILLER AT 7:00 P.M.

PRESENT: Mayor Julie Miller; Councilmembers: Patricia Jacobson, Christine Lee, Ross McIvor, Stacy Biel, and Walter Robison; City Manager Clint Holmes, City Clerk Rhonda Johnson, City Attorney Gregory Stremers, DPW Foreman Mike Vislosky, Police Officer Dillon Morgan.

ABSENT: Councilmember Eugene Navock.

GUESTS: Robert Jacobson, Larry Steigerwald, and Bonnie Koning.

PLEDGE OF ALLEGIANCE LED BY MAYOR JULIE MILLER.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Biel, Second by CM Lee, to Approve the Minutes of the Regular Meeting of the City Council for March 28, 2022, with one correction to the minutes of concerning who made the motion to adjourn the meeting.

Motion Carried.

PAY BILLS:

Motion by CM Jacobson; Second by CM Lee, to Pay Bills in the Following Funds: General - \$42,888.29 (10851 – 10870), Payroll - \$17,447.77 (10212 – 10225), Water - \$444.04 (3471 - 3473), Arsenic Abatement – \$6,134.69 (1591), Equipment - \$370.73 (1799 - 1801).

Motion Carried.

PERSONAL APPEARANCES:

1. Veterans Esteem Team – June 5th Event:
Bonnie Koning presented information about upcoming 2022 Veterans Esteem Team Events.
 - a. Quilt of Tears honoring Vietnam Veteran victims of agent orange displayed.
 - b. Awareness & Appreciation Run for Vietnam Veterans and those affected by Agent Orange. Route to pass through Brown City on June 5th.

PUBLIC QUESTIONS & COMMENTS:

Mr. Steigerwald - discussion of city ordinances.

POLICE REPORT: Written report accepted with no questions.

UNFINISHED BUSINESS: None.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: Resolution 22-05: Resolution Supporting Lapeer County Road Millage Proposal.

Motion by CM Robison, Second by CM Jacobson, to approve Resolution 22-05.

Roll Call Vote: CM Biel – Yes, CM Jacobson – Yes, CM Lee – Yes, CM Navock – Absent, CM Robison – Yes; 5- Yeas, 0 – Nays, 0 – Abstaining, 1 – Absent. Motion Carried.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

MANAGER’S REPORT:

1. **Maple Valley Estates:** The Planning Commission met on April 7th at the request of C&C Land. This company is in the process of purchasing Maple Valley Estates and petitioned the Planning Commission to allow the installation of single-wide mobile homes in addition to the modular and manufactured homes currently allowed. Motion by Jeff Liebler, second by Joe Berry, recommending the City Council address the city ordinance that requires a 20’ minimum width for homes. Brown City Ordinance §151.157 Residential Manufactured Housing paragraph (B) Siting Elements: Minimum Horizontal Dimension Standard is 20 feet. The City Council can abolish this requirement, which would allow a single-wide to be installed anywhere in the City; abolish this requirement just for Maple Valley Estates with the risk of a lawsuit from someone wanting to install a single-wide elsewhere in the City; or amend the ordinance changing 20 feet to some other number; or another option.

Discussion of:

1. **Planning Commission recommendation to address zoning change regarding Maple Valley Estates.**
2. **Requirements to change zoning ordinances.**
3. **Michigan Zoning Enabling Act.**

Consensus of Council that more information is needed to meet the requirements of changing zoning.

2. **Spicer Engineering:** The Legislature has made some money available for road repair for communities under 10,000. The State will match up to \$250,000 for projects scheduled for 2023. Applications are due in mid-June. Spicer Engineering offered to complete the application for the opportunity to do the engineering. For a placeholder, I identified the following streets for resurfacing: Maple west of Lincoln; Welles north of Maple; 4th west of Walter and Second from Walter east to George. However, Walter from Second to Fourth is also in rough shape. Does the Streets and Sidewalks Committee wish to meet to make a recommendation to the City Council or does the City Council wish to continue with this or another list?

Consensus of Council to proceed with grants for road repair. Streets and Sidewalks committee to schedule a meeting next week.

3. **Maple Valley Lift Station:** Spicer recommended a piece of land at least 100’ by 100’ for the new lift station. Best location is across the street to the north from the current lift station. How does the City Council wish to proceed with this project?

Consensus of Council is to proceed with land acquisition negotiations.

4. **CLFRF/NEU/ARPA:** In order to receive funds from the federal government, to include those actually distributed by the state, we are required to have a Dun & Bradstreet number and CAGE Code, which the City does. Now we are required to apply for a Unique Entity ID. The application process was less than straightforward but the City was assigned the new number.
5. **Union Negotiations:** Had a long conversation with North Branch concerning the Union "Pension Rehabilitation Plan". Their situation is different due to significantly different language in their union contract. However, the Union, according to North Branch, seems to be basing their plan on the federal Employee Retirement Income Security Act of 1974 (ERISA) Law. If so, governments are exempt as this is a law for private employers. An email was sent to the union asking what statute they are using and have received no reply. I also contacted the city managers in the state and none seem to have encountered this except for Port Huron. I spoke with City Manager James Freed, and as with North Branch, their situation is different from ours. Have not heard from the union since March 11. The contract expired on March 31st. The City has not received an extension letter.
6. **Second Street Project:** The City received four bids for this project. They were publicly opened at 2 PM on April 7th. The bid tabulation and recommendation from the engineer is enclosed. How does the City Council wish to proceed?

Motion by CM Robison, Second by CM McIvor, to Accept the Murray Underground Bid for \$220,185.00 for the 2022 Water Main Replacement Project.

Roll Call Vote: CM Biel – Yes, CM Jacobson – Yes, CM Lee – Yes, CM Navock – Absent, CM Robison – Yes; 5- Yeas, 0 – Nays, 0 – Abstaining, 1 – Absent. Motion Carried.

7. **Code Enforcement Officer:** The City hired Chris Dreiling as a part-time Code Enforcement Officer last year. She will be starting code enforcement duties again for the City beginning April 11th. She will be working Mondays and Wednesdays until the fall.
8. **City Water Tower:** The City water tower was inspected, as part of our contract with SUEZ, on December 8, 2021. The City received the final report on March 29th. No deficiencies were noted. The interior of the wet cell is scheduled to be drained and cleaned on June 2nd. A copy of the full report was emailed to the chairman of the Sewer and Water Committee and is available for review at City Hall.
9. **GFL Environmental:** The City received the first invoice from GFL Environmental, the company that bought out Knox Disposal and took over their contract. The invoice included an "Energy Charge" of \$806.40. When the company was contacted and told the City could not pay this fee because it was not in the contract they cancelled the charge but want to discuss modifying the existing contract concerning this and possibly other issues.

Discussion of:

- a. **Current contract expiration in 2 ½ years.**
 - b. **Discussion complaints about GFL.**
10. **Good Friday:** City Hall, Police Department and DPW will be closed on Friday, April 15th in observance of the holiday; however, the DPW will have an employee on-call.

ATTORNEY'S REPORT: Discussion of procedure to change zoning ordinances.

TREASURER'S REPORT: None.

CLERK'S REPORT: Anyone wishing to work either the August or November election must take Election Inspector Training. Classes are held at the County Training Room in Sandusky and are filling up. Classes are July 13 or July 20. Contact Stephanie at City Hall.

MAYOR'S REPORT:

1. Requests a motion to continue with Decker Insurance Agency.

Motion by CM Lee, Second by CM Jacobson to continue contract with Decker Insurance Agency. Motion Carried.

2. No new information of Carnival.
3. Former Brown City resident's Bocce Ball tournament could be added to city website.
4. City Manager search continues.

COMMITTEE REPORTS:

1. Building and Grounds (McIvor) – Nothing.
2. Personnel (Biel) – Nothing.
3. Police / Fire Authority (Lee) – Nothing.
4. Streets and Sidewalks (Navock) – Absent.
5. Tax and Finance (Jacobson) – Nothing.
6. Water and Sewer (Robison) – Nothing.

GENERAL CONCERNS OF THE COUNCIL:

1. CM Biel: Furniture on the streets, letter with information about brush pick up, Spring Clean-Up, and ways to get information to residents.
2. CM Robison: Garage was torn down, rabbits and chickens in town, and ruts in the park.
3. CM Christine Lee announced she is running for County Commissioner. She said it has been her honor to serve with City Council.

PUBLIC QUESTIONS & COMMENTS: None

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Lee, Second by CM Jacobson, to Adjourn the April 11, 2022, Meeting of the City Council at 8:16 p.m. Motion Carried.

Respectfully submitted,

Rhonda Johnson
City Clerk